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EXAMINER

PHUONG, DAI

ART UNIT	PAPER NUMBER
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2617

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02/01/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/612,343

Applicant(s)

LIALIAMOU ET AL.

Examiner

DAI A. PHUONG

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period **will** apply and **will** expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply **will**, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 18 November 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1,3,6-12,14-18,20,21,24,25,28,29,31-35,37,48,51-72,75 and 76 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1,3,6-12,14-18,20,21,24,25,28,29,31-35,37,48,51-72,75 and 76 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 December 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Argument

1. Applicant's arguments filed 11/18/2009 have been fully considered but they are not persuasive.

Applicant, on page 11 of the remark, argues that the cited combination fails to disclose, teach, or suggest, at least, *"wherein the controller is configured to allocate said reserved portion between said plurality of services as required, without dividing said reserved portion into a plurality of parts between said plurality of services,"* as recited in independent claim 1, and similarly recited in independent claims 35 and 71. However, the Examiner respectfully disagrees.

In response the remark, Masuda discloses *"wherein the controller is configured to allocate said reserved portion between said plurality of services as required"* in paragraph 49 and 50 and Picciallo et al. disclose *"without dividing said reserved portion into a plurality of parts between said plurality of services"* in abstract. Therefore, the combination of references shows all limitations in claims.

Applicant, on page 12 of the remark, argues that the Office Action admits on page 9, that the combination of Pincus and Masuda fails to disclose this feature. To cure the deficiencies of Pincus and Masuda in this regard, the Office Action cites to the disclosure of Picciallo. However, the combination including Picciallo also fails to teach or suggest the claimed feature. Picciallo is directed to system for monetary account management where promotional funds may be spent on "food, lodging, entertainment, gaming, and the like" using an account system for a casino.

However, the disclosure of Picciallo is incompatible with the Pincus and Masuda and therefore the cited combination fails. However, the Examiner respectfully disagrees.

Firstly, Pincus discloses a balance manager calculates a reservation amount based on the query and reserving the reservation amount against the pre-paid account (see Abstract). On the other hand, Masuda discloses a prepayment control section allocates the balance of prepayment to a plurality of prepaid services to be conducted simultaneously (see Abstract). However, Picciallo discloses a controller limits the amount of funds that may be spent on particular classes of good and services (Abstract). For the above reasons, the Examiner contends that these references are combinable because these references are in the same field of endeavor.

Secondly, in response to applicant's argument that the disclosure of Picciallo is incompatible with the Pincus and Masuda and therefore the cited combination fails, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Thirdly, in response to applicant's argument that the disclosure of Picciallo is incompatible with the Pincus and Masuda and therefore the cited combination fails, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Applicant, on page 12 of the remark, argues that the disclosure of Masuda was previously relied upon for disclosing controlling the allocation of the reserved portion. In this regard, the Office Action at page 8 continues to indicate that Masuda is relied upon for its disclosure of "two services [being] executed in accordance with their respective allotments." Having just described a manner of for executed services based on predefined allotments, the Office Action then attempts to combine Masuda with Picciallo for the purpose of generating a combination to disclose not using predefined service based allotments. If Picadillo does disclose the feature for which it is relied upon, i.e., not generating predefined divisions of funds within a reserved amount, then references are contradictory and one of skill in the art would not combine the references for this purpose. However, the Examiner respectfully disagrees.

Firstly, Masuda discloses a prepayment control section allocates the balance of prepayment to a plurality of prepaid services to be conducted simultaneously (see Abstract). On the other hand, Picciallo discloses a controller limits the amount of funds that may be spent on particular classes of good and services (Abstract). For the above reasons, the Examiner contends that these references are combinable because these references are in the same field of endeavor.

Secondly, in response to applicant's argument that references are contradictory and one of skill in the art would not combine the references for this purpose, the test for obviousness is not whether the features of a secondary reference may be bodily incorporated into the structure of the primary reference; nor is it that the claimed invention must be expressly suggested in any one or all of the references. Rather, the test is what the combined teachings of the references would have suggested to those of ordinary skill in the art. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981).

Thirdly, in response to applicant's argument that references are contradictory and one of skill in the art would not combine the references for this purpose, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Applicant, on page 12 of the remark, argues that Picciallo actually teaches the use of predefined allotments for particular services, and therefore Picciallo fails for the same reasons as Masuda. However, the Examiner respectfully disagrees.

Firstly, Pincus discloses a balance manager calculates a reservation amount based on the query and reserving the reservation amount against the pre-paid account (see Abstract). On the other hand, Masuda discloses a prepayment control section allocates the balance of prepayment to a plurality of prepaid services to be conducted simultaneously (see Abstract). For the above reasons, the Examiner contends that these references are combinable because these references are in the same field of endeavor.

Applicant, on page 13 of the remark, argues that the combination of Pincus, Masuda, and Ephraim fails to teach or suggest, at least, "a controller configured to control an allocation of said monetary amount between a plurality of services to be accessed simultaneously by a user device," as recited in independent claim 21, and similarly recited in independent claims 37 and 72. Applicants respectfully submit that independent claim 21 recites "an allocation of said monetary amount," where "said monetary amount" refers back to a monetary amount that has been converted from information defining an amount of a reserved portion in a form other than a

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monetary amount. Independent claims 37 and 72 recite similar limitations. However, the Examiner respectfully disagrees.

Firstly, Msauda discloses in paragraph 49 and 50 that if the balance allotted to the voice service when a service request for packet communication is made is .Yen.1000, .Yen.500 is allotted to each of the voice and packet services, and the two services are then executed in accordance with their respective allotments. In other words, a controller configured to control an allocation of said monetary amount (.Yen.1000) between a plurality of services (voice and data packet services) to be accessed simultaneously by a user device.

Secondly, in response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant, on page 13 of the remark, argues that Ephraim explicitly states that the conversion is done for the purpose of debiting the account of the user, and not for the purpose of allocating a reserved portion between a plurality of services. In this regard, Ephraim does not disclose operations with respect to a reserved, as recited in the claims. Thus, Ephraim also fails to disclose, or suggest, allocating a monetary amount which has been converted from information defining an amount of a reserved portion in a form other than a monetary amount. However, the Examiner respectfully disagrees.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on

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combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

B. Claims 31 and 67 are Nonobvious.

Applicant, on page 14 of the remark, argues that Claims 31 and 67 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pincus, Ephraim, and Masuda in further view of U.S. Patent Publication No. 2004/0148384 to Ramakrishnan. However, the cited combination relies upon Ephraim for disclosing the same features as described above with respect to the rejection of independent claims 21 and 37, for which claims 31 and 67 depend, respectively. Since Ephraim fails in this regard, and Ramakrishnan does not cure the deficiencies of Ephraim (nor is Ramakrishnan cited for this purpose), dependent claims 31 and 67 are patentable over the cited combination due at least to the failures of Ephraim. The rejections of claims 31 and 67 are therefore overcome. However, the Examiner respectfully disagrees.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

A. Claims 3, 7, 48, 52, 75, and 76 are Nonobvious.

Applicant, on page 14 of the remark, argues that Claims 3, 7, 48, 52, 75, and 76 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Pincus and Masuda in further view of U.S. Patent No. 7,162,220 to Hanson. Dependent claims 3, 7, 48, and 52 are patentable for the same reasons as their respective independent claims described above, because Hanson does not cure the deficiencies of Pincus and Masuda, nor is Hanson cited for that purpose for

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rejecting the respective independent claims. The cited combination of Pincus, Masuda, and Hanson also fails to teach or suggest all of the elements of independent claims 75 and 76 and the claimed invention in this regard is also not an obvious variant of the cited combination. However, the Examiner respectfully disagrees.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Applicant, on page 15 of the remark, argues that independent claim 75, and similarly independent claim 76, recites, " after the request is made, divide said reserved portion into a plurality of parts between said plurality of services, and reallocate a remainder of said reserved portion between said plurality of services when at least one of said plurality of services uses up its part of said reserved portion." Applicants respectfully submit that the combination of Pincus, Masuda, and Hanson fails to disclose, or suggest, the aforementioned feature. However, the Examiner respectfully disagrees.

Masuda discloses in paragraph 50 that if the balance allotted to the voice service when a service request for packet communication is made is .Yen.1000, .Yen.500 is allotted to each of the voice and packet services, and the two services are then executed in accordance with their respective allotments. In other words, Masuda discloses the balance divides said reserved portion into a plurality of parts between a plurality of services (voice and data packet services). Furthermore, Masuda discloses in paragraph 51 that the balance is reallocated also when one or

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more services are disconnected while a plurality of prepaid services are executed. Let it be assumed that while voice and packet services are executed, the voice service is disconnected. But, Masuda does not expressly teach that when one or more services are disconnected because of the account balance reaches to zero or uses up its account reserved balance. On the other hand, Hanson discloses when one or more services are disconnected because of the account balance reaches to zero or uses up its account reserved balance. Therefore, the Examiner contends that the combined of references show all limitations in the claim.

Applicant, on page 14 of the remark, argues that in response to remarks provided in a previous response, the Office Action now cites to Hanson to cure the deficiencies of Pincus and Masuda. However, Hanson does not cure the deficiencies of Pincus and Masuda. Hanson is merely directed to the use of a maximum allowable call timer that is part of a pre-paid account. The Office Action fails to appreciate that the "using up" of a part of the reserved portion for a particular service is a triggering event for reallocating the remainder as recited in the claims. Hanson fails to provide disclosure indicating that reallocation, as allegedly disclosed in Masuda, would be triggered by the expiration of the timer of Hanson. Neither Hanson nor Masuda discloses this causal relationship, and therefore the cited combination fails to render claims obvious. However, the Examiner respectfully disagrees.

As mentioned above, Masuda discloses in paragraph 51 that the balance is reallocated also when one or more services are disconnected while a plurality of prepaid services are executed. Let it be assumed that while voice and packet services are executed, the voice service is disconnected. But, Masuda does not expressly teach that when one or more services are disconnected because of the account balance reaches to zero or uses up its account reserved

balance. On the other hand, Hanson discloses when one or more services are disconnected because of the account balance reaches to zero or uses up its account reserved balance. Therefore, the Examiner contends that the combined of references show all limitations in the claim.

In response to applicant's arguments against the references individually, one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

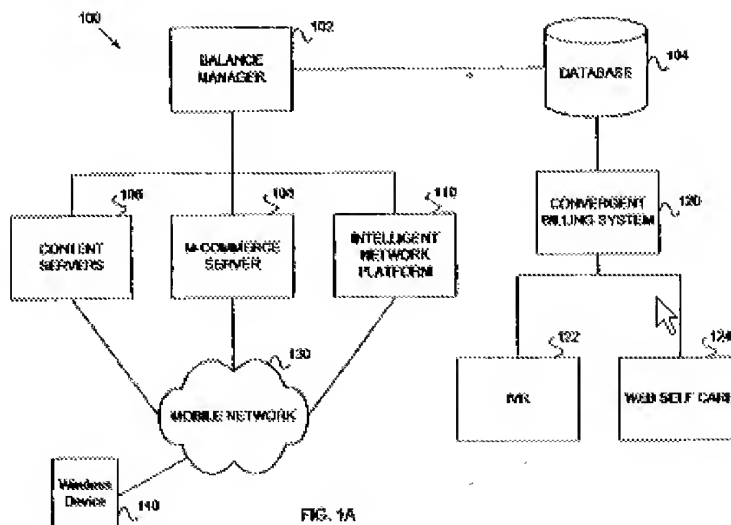
3. Claims 1, 6, 8-12, 14-18, 20, 35, 51, 53-62 and 71 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pincus et al. (Pub. No: 20050075957) and in view of Masuda (Pub. No: 2003/0078031) and further in view of Picciallo et al. (U.S. 6044360).

Regarding claim 1, Pincus et al. disclose an apparatus 102 (see Fig. 1A below, [0023] to [0029]), comprising a controller to:

request that in a first entity 104 (see fig. 1 below) including an information store configured to store information defining an amount of money for at least one user device 140, a portion of said amount of money be reserved at the first entity, as a reserved portion ([0028].

Pincus et al. disclose that **the balance manager 102** determines whether the event should be authorized and determines a number of service units (monetary, token and duration which describer in paragraph 27 and 47) to authorize and **reserves a corresponding amount against the account**. Furthermore, Pincus et al. disclose in paragraph 29 that the balance manager 102 is operably coupled to **database 104. Database 104 maintains account information** including an account identifier used to associate the account with one or more wireless devices and account balance information); and

wherein the apparatus 102 is separate from said first entity 104, and said at least one user device 140 (see fig. 1A below, [0023] to [0029]).



However, Pincus et al. do not disclose to control an allocation of said reserved portion between said a plurality of services to be accessed by said at least one user device in a session,

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wherein the allocation is controlled after the request is made, and wherein the controller is configured to allocate said reserved portion between said plurality of services as required, without dividing said reserved portion into a plurality of parts between said plurality of services.

In the same field of endeavor, **Masuda** discloses a controller configured to control an allocation of said reserved portion between said a plurality of services to be accessed by said at least one user device in a session, wherein the allocation is controlled after the request is made, and wherein the controller is configured to allocate said reserved portion between said plurality of services as required ([0049]. Masuda discloses that the balance is allotted in the case where a packet service is requested while a voice service is already being conducted, for example. Where a service request for packet communication is additionally made, the balance then allotted solely to the ongoing voice service is reallotted equally to the individual services, that is, the voice service and the packet service, without disconnecting the ongoing voice service. Additionally, **Masuda** discloses “if the balance allotted to the voice service when a service request for packet communication is made is .Yen.1000, .Yen.500 is allotted to each of the voice and packet services, and the two services are then executed in accordance with their respective allotments.”)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically a controller configured to control an allocation of said reserved portion between said a plurality of services to be accessed by said at least one user device in a session, wherein the allocation is controlled after the request is made, and wherein the controller is configured to allocate said reserved portion between said plurality of services as required, as taught by **Masuda**, the motivation being in

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order to allot the balance of prepayment to a plurality of prepaid services to be conducted simultaneously.

However, the combination of Pincus et al. and Masuda do not disclose without diving said reserved portion into a plurality of parts between said plurality of services.

In an analogous art, Picciallo et al. disclose the controller (casino management) is configured to allocate a reserved portion (allocate the amount of promotional fund) between a plurality of services (spending on food, lodging, entertainment, gaming, and the like) as required, without diving said reserved portion into a plurality of parts between said plurality of services (col. 11, line 58 to col. 12, line 14. Picciallo et al. disclose “allocate the amount of promotional funds that may be spent on particular classes of goods and services for each customer account file, which may be tailored to an individual customer's spending preferences. The allocation may also be designed to complement other casino promotions. Funds may be allocated for spending on food, lodging, entertainment, gaming, and the like”. Therefore, the amount of promotional funds is allocated to a user for spending on goods and services including food, lodging, entertainment and gaming. So that, the amount of promotional funds is without diving for any particular services.)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including the controller is configured to allocate said reserved portion between said plurality of services as required, without diving said reserved portion into a plurality of parts between said plurality of

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services, as taught by Picciallo et al., the motivation being in order to allocate to a user a certain amount of fund for spending goods and services.

Regarding claim 6, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 1. Further, Masuda disclose the apparatus wherein the controller is further configured to allocate said reserved portion is allocated dynamically ([0049] to [0050]).

Regarding claim 8, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 1. Further, Pincus et al. disclose the apparatus further comprising a monitoring unit configured to monitor how much of said reserved portion has been used (fig. 1, [0027] and [0050] to [0054]).

Regarding claim 9, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 8. Further, Masuda discloses the apparatus wherein the monitoring unit is further configured to monitor said reserved amount by periodically determining how much of said reserved portion each of said plurality of services have used to provide a plurality of values and summing the plurality of values (fig. 1, [0049] to [0052]).

Regarding claim 10, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 8. Further, Pincus et al. disclose the apparatus wherein the monitoring unit is further configured to monitor how much of said reserved portion has been used by using information defining a cost of said plurality of services (fig. 1, [0027] and [0050] to [0054]).

Regarding claim 11, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 10. Further, Pincus et al. disclose the apparatus wherein said information comprises a cost for one of a data or time unit (fig. 1, [0027] and [0050] to [0054]).

Regarding claim 12, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 1. Further, Masuda discloses the apparatus wherein when said reserved portion is used up **or** has been at least partially used up a further portion of said amount of money is reservable (fig. 1, [0049] to [0052]).

Regarding claim 14, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 1. Further, Pincus et al. disclose the apparatus wherein said information store comprises one of: a monetary value; a data amount representative of said amount of money; a time representative of said amount of money; and an amount of a service access parameter (fig. 1, [0027] –[0029]).

Regarding claim 15, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 1. Further, Pincus et al. disclose the apparatus wherein at least one of said plurality of services comprises an Internet service (downloading) (fig. 1, [0048] to [0054]). Additionally, Masuda discloses the apparatus wherein at least one of said plurality of services comprises an Internet service (data packet service) ([0049]).

Regarding claim 16, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 1. Further, Pincus et al. disclose the apparatus further comprising a plurality of entities (Figure 1, [0023] to [0029]).

Regarding claim 17, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 16. Further, Pincus et al. disclose the apparatus wherein said plurality of entities comprises at least one of a traffic analyzer and a credit controller (fig. 1, [0020] to [0029]). It should be noted that the apparatus includes at least one of a traffic analyzer and a credit controller in order to determine a number of service unit to reserve a corresponding amount against the account).

Regarding claim 18, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 1. Further, Pincus et al. disclose the apparatus wherein said

controller comprises a credit controller (fig. 1, [0020] to [0029]. It should be noted that the apparatus includes at least one of a traffic analyzer and a credit controller in order to determine a number of service unit to reserve a corresponding amount against the account).

Regarding claim 20, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 1. Further, Pincus et al. disclose the apparatus further comprising a storage configured to store information relating to a cost of said plurality of services (fig. 1, [0028]—[0029] and [0050] to [0058]).

Regarding claim 35, Pincus et al. disclose a method, comprising:

requesting a first entity 104 for a portion of said amount of money to be reserved as a reserved portion at the first entity, the first entity 104 storing information defining an amount of money for at least one user device 140 (fig. 1, [0028]. Pincus et al. disclose that the balance manager 102 determines a number of service units to authorize and *reserves a corresponding amount against the account.* In paragraph 49, furthermore, Pincus et al. disclose that typically the amount reserved *will be less than the total amount available in the pre-paid account.* This is desirable in order to allow multiple account users the opportunity to use the account to obtain services concurrently);

and wherein a controller 102 is separate from said first entity 104, and said at least one user device 140 (fig. 1, [0023] to [0029]).

However, Pincus et al. do not disclose controlling at said controller an allocation of said reserved portion between said a plurality of services to be accessed in a session after the requesting to the first entity, wherein the controlling comprises allocating said reserved portion between said plurality of services as required, without diving said reserved portion into a plurality of parts between said plurality of services.

In the same field of endeavor, Masuda discloses controlling at said controller an allocation of said reserved portion between said a plurality of services to be accessed in a session after the requesting to the first entity, wherein the controlling comprises allocating said reserved portion between said plurality of services as required ([0049]. Masuda discloses that the balance is allotted in the case where a packet service is requested while a voice service is already being conducted, for example. Where a service request for packet communication is additionally made, the balance then allotted solely to the ongoing voice service is **reallotted equally to the individual services**, that is, the voice service and the packet service, without disconnecting the ongoing voice service. Additionally, **Masuda** discloses “if the balance allotted to the voice service when a service request for packet communication is made is .Yen.1000, **.Yen.500 is allotted to each of the voice and packet services**, and the two services are then executed in accordance with their respective allotments.”)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically controlling at said controller an allocation of said reserved portion between said a plurality of services to be accessed by said at least one user device in a session, wherein the allocation is controlled after

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the request is made, as taught by **Masuda**, the motivation being in order to allot the balance of prepayment to a plurality of prepaid services to be conducted simultaneously.

However, the combination of Pincus et al. and Masuda do not disclose without diving said reserved portion into a plurality of parts between said plurality of services.

In an analogous art, Picciallo et al. disclose the controller (casino management) is configured to allocate a reserved portion (allocate the amount of promotional fund) between a plurality of services (spending on food, lodging, entertainment, gaming, and the like) as required, without diving said reserved portion into a plurality of parts between said plurality of services (col. 11, line 58 to col. 12, line 14. Picciallo et al. disclose "allocate the amount of promotional funds that may be spent on particular classes of goods and services for each customer account file, which may be tailored to an individual customer's spending preferences. The allocation may also be designed to complement other casino promotions. Funds may be allocated for spending on food, lodging, entertainment, gaming, and the like". Therefore, the amount of promotional funds is allocated to a user for spending on goods and services including food, lodging, entertainment and gaming. So that, the amount of promotional funds is without diving for any particular services)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including the controller (casino management) is configured to allocate a reserved portion (allocate the amount of promotional fund) between a plurality of services (spending on food, lodging, entertainment, gaming, and the like) as required, without diving said reserved portion into a plurality of parts

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between said plurality of services, as taught by Picciallo et al., the motivation being in order to allocate to a user a certain amount of fund for spending goods and services.

Regarding claim 51, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 35. Further, Masuda discloses the method wherein allocating said reserved portion is allocated dynamically ([0049] to [0050]).

Regarding claim 53, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 35. Further, Pincus et al. disclose the method further comprising monitoring how much of said reserved portion has been used (fig. 1, [0027] and [0050] to [0054]).

Regarding claim 54, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 53. Further, Masuda discloses the method comprising monitoring said reserved amount by periodically determining how much of said reserved portion each of said plurality of services have used to provide a plurality of values and summing the plurality of values (fig. 1, [0049] to [0052]).

Regarding claim 55, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 53. Further, Pincus et al. disclose the method comprising

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monitoring how much of said reserved portion has been used by using information defining a cost of said plurality of services (fig. 1, [0027] and [0050] to [0058]).

Regarding claim 56, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 55. Further, Pincus et al. disclose the method comprising wherein said information comprises a cost for one of a data or time unit (fig. 1, [0027] and [0050] to [0058]).

Regarding claim 57, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 35. Further, Masuda discloses the method comprising serving a further portion of said amount of money when said reserved portion is used up **or** has been at least partially used up (fig. 1, [0049] to [0052]).

Regarding claim 58, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 35. Further, Pincus et al. disclose the method comprising said information store comprises **one of**: a monetary value; a data amount representative of said amount of money; a time representative of said amount of money; and an amount of a service access parameter (fig. 1, [0047] to [0054]).

Regarding claim 59, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 35. Further, Pincus et al. disclose the method comprising at least one of said plurality of services comprises an Internet service (downloading) (fig. 1, [0048] to [0054]). Additionally, Masuda discloses the apparatus wherein at least one of said plurality of services comprises an Internet service (data packet service) ([0049]).

Regarding claim 60, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 53. Further, Pincus et al. disclose the method wherein said controller comprises a plurality of entities (Figure 1, [0023] to [0029]).

Regarding claim 61, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 60. Further, Pincus et al. disclose the method wherein said plurality of entities comprises at least one of a traffic analyzer and a credit controller (fig. 1, [0020] to [0029]). It should be noted that the apparatus includes at least one of a traffic analyzer and a credit controller in order to determine a number of service unit to reserve a corresponding amount against the account).

Regarding claim 62, the combination of Pincus et al. and Masuda and Picciallo et al. disclose all the limitation in claim 35. Further, Pincus et al. disclose the method comprising wherein said controller comprises a credit controller (fig. 1, [0020] to [0029]). It should be noted

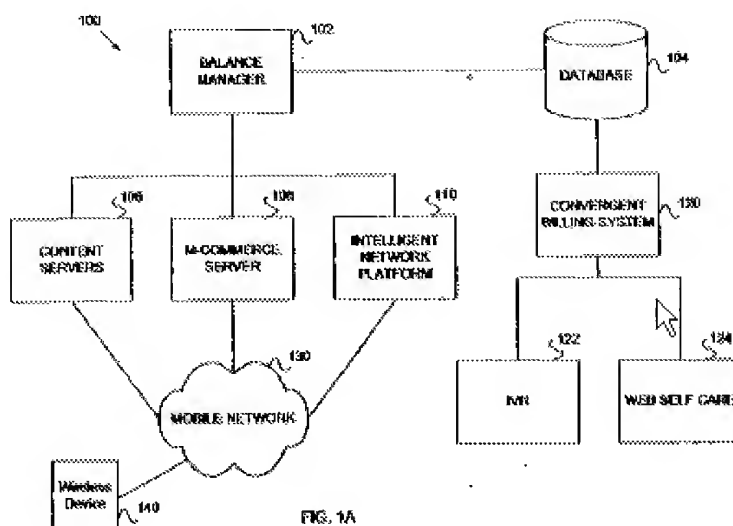
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that the apparatus includes at least one of a traffic analyzer and a credit controller in order to determine a number of service unit to reserve a corresponding amount against the account).

Regarding claim 71, Pincus et al. disclose an apparatus 102 (see Fig. 1A below, [0023] to [0029]), comprising:

mean for requesting, at a controller, that in a first entity 104 (described in paragraph 29) including an information store configured to store information defining an amount of money for at least one user device 140, a portion of said amount of money be reserved at the first entity, as a reserved portion ([0028]). Pincus et al. disclose that **the balance manager 102** determines whether the event should be authorized and determines a number of service units (monetary, token and duration which described in paragraph 27 and 47) to authorize and **reserves a corresponding amount against the account.** Furthermore, Pincus et al. disclose in paragraph 29 that the balance manager 102 is operably coupled to **database 104. Database 104 maintains account information** including an account identifier used to associate the account with one or more wireless devices and account balance information); and

wherein the controller 102 is separate from said first entity 104, and said at least one user device 140 (see fig. 1 below, [0023] to [0029]).



However, Pincus et al. do not disclose means for, after the request is made, allocating said reserved portion between a plurality of services as required, without dividing said reserved portion into a plurality of parts between said plurality of services; wherein said plurality of services is a plurality of services to be accessed by said at least one user device in a session.

In the same field of endeavor, **Masuda** discloses means for, after the request is made, allocating said reserved portion between a plurality of services as required; wherein said plurality of services is a plurality of services to be accessed by said at least one user device in a session ([0049]. Masuda discloses that the balance is allotted in the case where a packet service is requested while a voice service is already being conducted, for example. Where a service

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request for packet communication is additionally made, the balance then allotted solely to the ongoing voice service is reallotted equally to the individual services, that is, the voice service and the packet service, without disconnecting the ongoing voice service. Additionally, **Masuda** discloses “if the balance allotted to the voice service when a service request for packet communication is made is .Yen.1000, .Yen.500 is allotted to each of the voice and packet services, and the two services are then executed in accordance with their respective allotments.”)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including means for, after the request is made, allocating said reserved portion between a plurality of services as required, wherein said plurality of services is a plurality of services to be accessed by said at least one user device in a session, as taught by **Masuda**, the motivation being in order to allot the balance of prepayment to a plurality of prepaid services to be conducted simultaneously.

However, the combination of Pincus et al. and Masuda do not disclose without diving said reserved portion into a plurality of parts between said plurality of services.

In an analogous art, Picciallo et al. disclose the controller (casino management) is configured to allocate a reserved portion (allocate the amount of promotional fund) between a plurality of services (spending on food, lodging, entertainment, gaming, and the like) as required, without diving said reserved portion into a plurality of parts between said plurality of services (col. 11, line 58 to col. 12, line 14. Picciallo et al. disclose “allocate the amount of promotional funds that may be spent on particular classes of goods and services for each customer account file, which may be tailored to an individual customer's spending preferences. The allocation may

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also be designed to complement other casino promotions. Funds may be allocated for spending on food, lodging, entertainment, gaming, and the like". Therefore, the amount of promotional funds is allocated to a user for spending on goods and services including food, lodging, entertainment and gaming. So that, the amount of promotional funds is without diving for any particular services)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including the controller is configured to allocate said reserved portion between said plurality of services as required, without diving said reserved portion into a plurality of parts between said plurality of services, as taught by Picciallo et al., the motivation being in order to allocate to a user a certain amount of fund for spending goods and services.

4. Claims 21, 24-25, 28-29, 32-34, 37, 63-66, 68-70 and 72 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pincus et al. (Pub. No: 20050075957) in view of Ephraim et al. (Pub. No.: 20040077332) and further in view of Masuda (Pub. No: 2003/0078031).

Regarding claim 21, Pincus et al. disclose an apparatus 102 (see Fig. 1A, [0023] to [0029]), comprising a controller configured to:

request reservation of a portion of an amount of money defined by information stored at the first entity 104 (fig. 1, [0028]. Pincus et al. disclose that the balance manager 102 determines a number of service units to authorize and reserves a corresponding amount against the account. In paragraph 49, furthermore, Pincus et al. disclose that typically the amount reserved

will be less than the total amount available in the pre-paid account. This is desirable in order to allow multiple account users the opportunity to use the account to obtain services concurrently);

However, Pincus et al. do not disclose to receive from said first entity information defining an amount of said reserved portion in a first form other than a monetary amount; to convert information relating to said amount of said reserved portion to a second form as a monetary amount; to control an allocation of said monetary amount between a plurality of services to be accessed simultaneously by a user device.

In an analogous, Ephraim et al. disclose a receiver configured to receive from said first entity information defining an amount of said reserved portion in a first form (token) other than a monetary amount (fig. 2, [0045]. Ephraim et al. disclose “data monitor 38 calculates the total amount required for the data transfer to occur before such a transfer actually occurs, at the stage when the subscriber is sending the request for the data transfer”. In addition, Ephraim et al. disclose in paragraph 46 that the data monitor 38 sends the required number of tokens to be obtained from the account of the subscriber to prepaid server 34); and

a converter configured to convert information relating to said amount of said reserved portion to a second form as a monetary amount (fig. 2, [0012] and [0053]-[0055]. Ephraim et al. disclose the prepaid server 34 converts a value of money to number of tokens and the number of tokens back to money value).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically a receiver configured

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to receive from said first entity information defining an amount of said reserved portion in a first form (token) other than a monetary amount and a converter configured to convert information relating to said amount of said reserved portion to a second form as a monetary amount, as taught by Ephraim et al., the motivation being in order to determine whether a requested data should be continue/disconnected based upon the prepaid amount available in the account of the system.

However, the combination of Pincus et al. and Ephraim et al. do not disclose a controller configured to control an allocation of said monetary amount between a plurality of services to be accessed simultaneously by a user device.

In the same field of endeavor, Masuda discloses a controller configured to control an allocation of said reserved portion between a plurality of services to be accessed simultaneously by a user device ([0049]). Masuda discloses that the balance is allotted in the case where a packet service is requested while a voice service is already being conducted, for example. Where a service request for packet communication is additionally made, the balance then allotted solely to the ongoing voice service is **reallotted equally to the individual services**, that is, the voice service and the packet service, without disconnecting the ongoing voice service. Additionally, **Masuda** discloses “if the balance allotted to the voice service when a service request for packet communication is made is .Yen.1000, **.Yen.500 is allotted to each of the voice and packet services**, and the two services are then executed in accordance with their respective allotments.”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically a controller configured to control an allocation of said reserved portion between a plurality of services to be accessed simultaneously by a user device, as taught by **Masuda**, the motivation being in order to allot the balance of prepayment to a plurality of prepaid services to be conducted simultaneously and without disconnect any services.

Regarding claim 24, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 21. Further, Pincus et al. disclose the apparatus wherein the first form is one of a cost for a unit amount of a payment parameter of at least one service of said plurality of services (fig. 1, [0040] to [0058]). Additionally, Ephraim et al. disclose the apparatus wherein the first form is one of a cost for a unit amount of a payment parameter of at least one service of said plurality of services ([0045]).

Regarding claim 25, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 24. Further, Pincus et al. disclose the apparatus wherein said payment parameter is data volume, time, or service parameter of at least one service of said plurality of services (fig. 1, [0040] to [0058]).

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Regarding claim 28, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 24. Further, Ephraim et al. disclose the apparatus said information in said first form comprises said unit amount (fig. 1, [0045] to [0046]).

Regarding claim 29, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 21. Further, Ephraim et al. disclose the apparatus wherein said controller is arranged to convert said unit amount to a corresponding monetary amount to provide said second form (fig. 2, [0046] and [0053]-[0055]).

Regarding claim 32, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 21. Further, Pincus et al. disclose the apparatus wherein said first form comprises at least one of time, data volume, or service access parameter (fig. 1, [0040] to [0058]).

Regarding claim 33, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 21. Further, Pincus et al. disclose the apparatus wherein said service access parameter comprises at least one of number of clicks or number of accesses (fig. 1, [0020] to [0058]). Additionally, Ephraim et al. disclose the apparatus wherein said service access parameter comprises at least one of number of clicks or number of accesses ([0045] to [0046]).

Regarding claim 34, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 21. Further, Ephraim et al. disclose the apparatus wherein said second form comprises monetary value, number of clicks and number of accesses (fig. 2, [0046] and [0054]).

Regarding claim 37, Pincus et al. disclose a method (see Fig. 1A, [0023] to [0029]), comprising:

requesting a reservation of a portion of an amount of money defined for at least one user device 140 by store information (fig. 1, [0028]. Pincus et al. disclose that the balance manager 102 determines a number of service units to authorize and *reserves a corresponding amount against the account.* In paragraph 49, furthermore, Pincus et al. disclose that typically the amount reserved *will be less than the total amount available in the pre-paid account.* This is desirable in order to allow multiple account users the opportunity to use the account to obtain services concurrently);

However, Pincus et al. do not disclose receiving, at a controller configured to allocate a reserved portion between a plurality of services to be accessed simultaneously, information defining an amount of said reserved portion in a first form other than a monetary amount; and converting information relating to said amount of said reserved portion to a second form as a monetary amount, and then allocating said portion monetary amount between said plurality of services.

In an analogous, Ephraim et al. disclose information defining an amount of said reserved portion in a first form (token) other than a monetary amount (fig. 2, [0045]. Ephraim et al. disclose “data monitor 38 calculates the total amount required for the data transfer to occur before such a transfer actually occurs, at the stage when the subscriber is sending the request for the data transfer”. Additionally, Ephraim et al. disclose in paragraph 46 that “the data monitor 38 sends the required number of tokens to be obtained from the account of the subscriber to prepaid server 34”); and

converting information relating to said amount of said reversed portion to a second form as a monetary amount ((fig. 2, [0012] and [0053]-[0055]. Ephraim et al. disclose the prepaid server 34 converts a value of money to number of tokens and from the number of tokens back to money value)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including information defining an amount of said reserved portion in a first form other than a monetary amount; and converting information relating to said amount of said reversed portion to a second form as a monetary amount, as taught by Ephraim et al., the motivation being in order to determine whether a requested data should be continued or disconnected based upon the prepaid amount available in the account of the system.

However, the combination of Pincus et al. and Ephraim et al. do not disclose a controller configured to an allocation a reserved portion between a plurality of services to be accessed simultaneously, and allocating said portion monetary amount between said plurality of services

In the same field of endeavor, Masuda discloses a controller configured to an allocation a reserved portion between a plurality of services to be accessed simultaneously, and allocating said portion monetary amount between said plurality of services ([0049]. Masuda discloses that the balance is allotted in the case where a packet service is requested while a voice service is already being conducted, for example. Where a service request for packet communication is additionally made, the balance then allotted solely to the ongoing voice service is **reallotted equally to the individual services**, that is, the voice service and the packet service, without disconnecting the ongoing voice service. Additionally, **Masuda** discloses “if the balance allotted to the voice service when a service request for packet communication is made is .Yen.1000, **.Yen.500 is allotted to each of the voice and packet services**, and the two services are then executed in accordance with their respective allotments.”)

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically a controller configured to an allocation a reserved portion between a plurality of services to be accessed simultaneously, and allocating said portion monetary amount between said plurality of services, as taught by **Masuda**, the motivation being in order to allot the balance of prepayment to a plurality of prepaid services to be conducted simultaneously and without disconnect any services.

Regarding claim 63, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 37. Further, Pincus et al. disclose the method wherein the first form is one of a cost for a unit amount or a payment parameter of at least one service of said plurality of services (fig. 1, [0027] and [0040] to [0058]).

Regarding claim 64, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 63. Further, Pincus et al. disclose the method wherein said payment parameter is data volume, time, or service parameter of at least one service of said plurality of services (fig. 1, [0027] and [0040] to [0058]).

Regarding claim 65, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 63. Further, Pincus et al. disclose the method said information in said first form comprises said unit amount (fig. 1, [0027] and [0040] to [0058]).

Regarding claim 66, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 65. Further, Ephraim et al. disclose the method comprising converting said unit amount to a corresponding monetary amount to provide said second form (fig. 2, [0046] and [0053] to [0055]).

Regarding claim 68, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 37. Further, Pincus et al. disclose the method wherein said first form comprises at least one of time, data volume, or service access parameter (fig. 1, [0040] to [0058]).

Regarding claim 69, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 68. Further, Pincus et al. disclose the method wherein said service access parameter comprises at least one of number of clicks or number of accesses (fig. 1, [0020] to [0058]). Additionally, Ephraim et al. disclose the method wherein said service access parameter comprises at least one of number of clicks or number of accesses ([0045] to [0046]).

Regarding claim 70, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 37. Ephraim et al. disclose the method wherein said second form comprises monetary value, number of clicks and number of accesses (fig. 2, [0046] and [0054]).

Regarding claim 72, Pincus et al. disclose an apparatus 102 (see Fig. 1A, [0023] to [0029]), comprising:

mean for requesting reservation of a portion of an amount of an amount of money defined by information stored at the first entity 104 (fig. 1, [0028]. Pincus et al. disclose that the balance manager 102 determines a number of service units to authorize and reserves a corresponding amount against the account. In paragraph 49, furthermore, Pincus et al. disclose that typically the amount reserved will be less than the total amount available in the pre-paid account. This is desirable in order to allow multiple account users the opportunity to use the account to obtain services concurrently);

However, Pincus et al. do not disclose mean for receiving from said first entity information defining an amount of said reserved portion in a first form other than a monetary amount; mean for converting information relating to said amount of said reserved portion to a second form as monetary amount; and means for controlling an allocation of said monetary amount between a plurality of services to be accessed simultaneously by a user device.

In an analogous, Ephraim et al. disclose mean for receiving from said first entity information defining an amount of said reserved portion in a first form (token) other than a monetary amount (fig. 2, [0045]. Ephraim et al. disclose “data monitor 38 calculates the total amount required for the data transfer to occur before such a transfer actually occurs, at the stage when the subscriber is sending the request for the data transfer”. In addition, Ephraim et al. disclose in paragraph 46 that the data monitor 38 sends the required number of tokens to be obtained from the account of the subscriber to prepaid server 34); and

a converter configured to convert information relating to said amount of said reserved portion to a second form as a monetary amount (fig. 2, [0012] and [0053]-[0055]. Ephraim et al. disclose the prepaid server 34 converts a value of money to number of tokens and the number of tokens back to money).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically mean for receiving from said first entity information defining an amount of said reserved portion in a first form other than a monetary amount; mean for converting information relating to said amount of said reserved portion to a second form as monetary amount, as taught by Ephraim et al., the motivation being in order to determine whether a requested data should be continue/disconnected based upon the prepaid amount available in the account of the system.

However, the combination of Pincus et al. and Ephraim et al. do not disclose means for controlling an allocation of said monetary amount between a plurality of services to be accessed simultaneously by a user device.

In the same field of endeavor, Masuda discloses means for controlling an allocation of said monetary amount between a plurality of services to be accessed simultaneously by a user device ([0049]. Masuda discloses that the balance is allotted in the case where a packet service is requested while a voice service is already being conducted, for example. Where a service request for packet communication is additionally made, the balance then allotted solely to the ongoing voice service is **reallotted equally to the individual services**, that is, the voice service and the packet service, without disconnecting the ongoing voice service. Additionally, **Masuda**

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discloses “if the balance allotted to the voice service when a service request for packet communication is made is .Yen.1000, **.Yen.500 is allotted to each of the voice and packet services**, and the two services are then executed in accordance with their respective allotments.”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including means for controlling an allocation of said monetary amount between a plurality of services to be accessed simultaneously by a user device, as taught by **Masuda**, the motivation being in order to allot the balance of prepayment to a plurality of prepaid services to be conducted simultaneously and without disconnect any services.

5. Claims 31 and 67 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pincus et al. (Pub. No: 20050075957) in view of Ephraim et al. (Pub. No.: 20040077332) and further in view of Masuda (Pub. No: 2003/0078031) and further in view of Ramakrishnan et al. (Pub. No: 20040148384).

Regarding claim 31, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 21. However, the combination of Pincus et al. and Ephraim et al. and Masuda do not disclose the apparatus which is configured to operate in accordance with a remote authentication dial-in user service (RADIUS) protocol.

In an analogous art, Ramakrishnan et al. disclose the apparatus wherein said controller operates in accordance with a remote authentication dial-in user service (RADIUS) protocol ([0026] to [0031]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including disclose the apparatus wherein said controller operates in accordance with a remote authentication dial-in user service (RADIUS) protocol, as taught by Ramakrishnan et al., the motivation being in order to authenticate the user, authorize the access and provide high quality services.

Regarding claim 67, the combination of Pincus et al. and Ephraim et al. and Masuda disclose all the limitation in claim 37. However, the combination of Pincus et al. and Ephraim et al. and Masuda do not disclose the method comprising operating said controller in accordance with a remote authentication dial-in user service (RADIUS) protocol.

In an analogous art, Ramakrishnan et al. disclose the method comprising operating said controller in accordance with a remote authentication dial-in user service (RADIUS) protocol ([0026] to [0031]).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including the method comprising operating said controller in accordance with a remote authentication dial-in user service (RADIUS) protocol, as taught by Ramakrishnan et al., the motivation being in order to to authenticate the user, authorize the access and provide high quality services.

6. Claims 3, 7, 48, 52, 75-76 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pincus et al. (Pub. No: 20050075957) and in view of Masuda (Pub. No: 2003/0078031) and further in view of Hanson (U.S. 7162220).

Regarding claim 75, Pincus et al. disclose an apparatus 102 (see Fig. 1A, [0023] to [0029]), comprising a controller configured to:

request that in a first entity 104, including an information store configured to store information defining an amount of money for at least one user device 104, a portion of said amount of money be reserved at the first entity, as a reserved portion (fig. 1, [0028]. Pincus et al. disclose that the balance manager 102 determines a number of service units to authorize and reserves a corresponding amount against the account. In paragraph 49, furthermore, Pincus et al. disclose that typically the amount reserved will be less than the total amount available in the pre-paid account. This is desirable in order to allow multiple account users the opportunity to use the account to obtain services concurrently); and wherein the apparatus 102 is separate from said first entity 104 (see Fig. 1A).

However, Pincus et al. do not disclose after the request is made, divide said reserved portion into a plurality of parts between said plurality of services, and reallocate a remainder of said reserved portion between said plurality of services when at least one of said plurality of services uses up its part of said reserved portion.

In the same field of endeavor, Masuda discloses a controller configured to, after the request is made, divide said reserved portion into a plurality of parts between said plurality of services ([0050]), and

reallocate a remainder of said reserved portion between said plurality of services when at least one of said plurality of services disconnects ([0051]. Masuda discloses “The balance is

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reallotted also when one or more services are disconnected while a plurality of prepaid services are executed").

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including a controller configured to, after the request is made, divide said reserved portion into a plurality of parts between said plurality of services, and reallocate a remainder of said reserved portion between said plurality of services when at least one of said plurality of services disconnects, as taught by **Masuda**, the motivation being in order to provide high quality services.

However, the combination of Pincus et al. and Masuda do not disclose at least one of said plurality of services disconnects because of the account balance reaches to zero or the user uses up his/her balance account.

In the same field of endeavor, Hanson discloses that the call is disconnected in response to the call duration timer reaching the maximum allowable call duration (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including the call is disconnected in response to the call duration timer reaching the maximum allowable call duration, as taught by **Hanson**, the motivation being in order to disconnect calls as soon as the accounts are depleted of funds.

Regarding claim 3, the combination of Pincus et al. and Masuda and Hanson disclose all limitations in claim 75. Further, Pincus et al. disclose the apparatus wherein dividing said

reserved portion into a plurality of parts comprises dividing said reserved portion into a plurality of equal parts ([0049] and [0050]).

Regarding claim 7, the combination of Pincus et al. and Masuda and Hanson disclose all limitations in claim 75. Further, Pincus et al. disclose the apparatus wherein the controller is further configured to allocate said reserved portion based on at least one of, service activity, number of services, and a unit cost of said plurality of services ([0039] to [0052]).

Regarding claim 76, Pincus et al. disclose an apparatus 102 (see Fig. 1A, [0023] to [0029]), comprising:

requesting a first entity 104, the first entity storing information defining an amount of money for at least one user device 104, for a portion of said amount of money to be reserved as a reserved portion at the first entity (fig. 1, [0028]. Pincus et al. disclose that the balance manager 102 determines a number of service units to authorize and reserves a corresponding amount against the account. In paragraph 49, furthermore, Pincus et al. disclose that typically the amount reserved will be less than the total amount available in the pre-paid account. This is desirable in order to allow multiple account users the opportunity to use the account to obtain services concurrently); and wherein the apparatus 102 is separate from said first entity 104 (see Fig. 1A).

However, Pincus et al. do not disclose after said requesting, dividing said reserved portion into a plurality of parts between said plurality of services, and reallocate a remainder of

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said reserved portion between said plurality of services when at least one of said plurality of services uses up its part of said reserved portion.

In the same field of endeavor, Masuda discloses after said requesting, dividing said reserved portion into a plurality of parts between said plurality of services ([0050]. Masuda discloses “if the balance allotted to the voice service when a service request for packet communication is made is .Yen.1000, .Yen.500 is allotted to each of the voice and packet services, and the two services are then executed in accordance with their respective allotments”), and

reallocate a remainder of said reserved portion between said plurality of services when at least one of said plurality of services disconnects ([0051]. Masuda discloses “The balance is reallocated also when one or more services are disconnected while a plurality of prepaid services are executed”).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including a controller configured to, after the request is made, divide said reserved portion into a plurality of parts between said plurality of services, and reallocate a remainder of said reserved portion between said plurality of services when at least one of said plurality of services disconnects, as taught by **Masuda**, the motivation being in order to provide high quality services.

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However, the combination of Pincus et al. and Masuda do not disclose at least one of said plurality of services disconnects because of the account balance reaches to zero or the user uses up his/her balance account.

In the same field of endeavor, Hanson discloses that the call is disconnected in response to the call duration timer reaching the maximum allowable call duration (Abstract).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the invention of Pincus et al. by specifically including the call is disconnected in response to the call duration timer reaching the maximum allowable call duration, as taught by **Hanson**, the motivation being in order to disconnect calls as soon as the accounts are depleted of funds

Regarding claim 48, the combination of Pincus et al. and Masuda and Hanson disclose all limitations in claim 76. Further, Pincus et al. disclose the method wherein dividing said reserved portion into a plurality of parts comprises dividing said reserved portion into a plurality of equal parts ([0049] and [0050]).

Regarding claim 52, the combination of Pincus et al. and Masuda and Hanson disclose all limitations in claim 75. Further, Pincus et al. disclose the method wherein the controller is further configured to allocate said reserved portion based on at least one of, service activity, number of services, and a unit cost of said plurality of services ([0039] to [0052]).

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Conclusion

7. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Dai A Phuong whose telephone number is 571-272-7896. The examiner can normally be reached on Monday to Friday, 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached on 571-272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-7687.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Dai A Phuong/
Examiner, Art Unit 2617
Date: 01/27/2010

/Patrick N. Edouard/
Supervisory Patent Examiner, Art Unit 2617